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PATENT  
Attorney Docket No. ASC-049C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Fitzgerald  
SERIAL NO.: 10/774,890 GROUP NO.: 2818  
FILING DATE: February 9, 2004 EXAMINER: Tran, Mai Huong C.  
TITLE: RELAXED SiGe PLATFORM FOR HIGH SPEED CMOS  
ELECTRONICS AND HIGH SPEED ANALOG CIRCUITS

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 29<sup>th</sup> day of August, 2005.

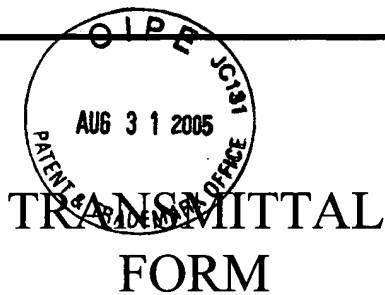
  
Wendy L. Martin

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith are:

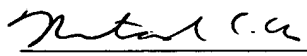
1. Transmittal Form (1 page);
2. Notice of Defective Office Action (2 pages)
3. Replacement Supplemental Information Disclosure Statement (1 page);
4. Form PTO – 1449 (4 pages);
5. Return receipt postcard



Application Serial Number	10/774,890
Filing Date	February 9, 2004
First Named Inventor	Fitzgerald
Group Art Unit	2818
Examiner Name	Tran, Mai Huong C.
Attorney Docket No.	ASC-049C1
Patent No.	Not applicable
Issue Date	Not applicable

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form  <input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]  <input type="checkbox"/> Petition for Extension of Time  <input checked="" type="checkbox"/> Replacement Supplemental Information Disclosure Statement <input checked="" type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations (C123 – C134)  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application  <input type="checkbox"/> Formal Drawing(s)  <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal  <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application  <input type="checkbox"/> Small Entity Statement  <input type="checkbox"/> CD(s) for large table or computer program  <input type="checkbox"/> Amendment After Allowance  <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences  <input type="checkbox"/> Appeal Brief (in triplicate)  <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8  <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below)  - Notice of Defective Office Action
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CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator Goodwin Procter LLP Exchange Place Boston, MA 02109 Tel. No.: (617) 570-1000 Fax No.: (617) 523-1231 Customer No. 051414	Respectfully submitted,   _____ Natasha C. Us Attorney for Applicant(s) Goodwin Procter LLP Exchange Place Boston, MA 02109



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**NOTICE OF DEFECTIVE OFFICE ACTION**

1. This Notice of Defective Office Action is filed pursuant MPEP §710.06 regarding the Office Action mailed July 8, 2005, (hereinafter, "Office Action") for the above-referenced patent application.
2. The Office Action Summary states that claims 1-31 are pending in the application. The Detailed Office Action addresses claims 1-31.
3. By Preliminary Amendment filed on February 9, 2004 (hereinafter, "Preliminary Amendment"), Applicant cancelled claims 1-31 and added new claims 32-78. Neither the Office Action Summary nor the Detailed Action addresses claims 32-78.
4. The failure of the Office Action to (i) consider the claims added by the Preliminary Amendment and (ii) disregard the claims cancelled by the Preliminary Amendment represents defects in the Office Action.
5. In accordance with MPEP §710.06, Applicant hereby notifies the Office of the defects in the Office Action. Applicant respectfully requests that the defects be corrected.
6. In response to a request from the Examiner in the Office Action, a Replacement Supplemental Information Disclosure Statement is enclosed.

7. No fee is included with this submission, because Applicant believes none is required. Nevertheless, should any fee be required for this submission to be considered, the Commissioner is authorized to charge deposit account number 07-1700.

Respectfully submitted,

Date: August 29, 2005  
Reg. No. 44,381

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